



JC10 Rec'd PCT/PTO 07 JUL 2005

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I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First-Class Mail, in an envelope addressed to: MS Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: July 5, 2005

Signature:

*Roger A. Heppermann*  
(Roger A. Heppermann)

Docket No.: 30931/L50077  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:  
Michael Fink et al.

Application No.: 10/507,391

Filed: September 10, 2004

For: METHOD FOR CONDUCTING A COOKING  
PROCESS USING A COOKING PROCESS  
SENSOR

Confirmation No.: 1799

Art Unit: 0

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER  
35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

MS Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office – Filing Date Granted mailed May 3, 2005, Applicant respectfully submits a Combined Declaration and Power of Attorney and a copy of Notice.

Our check in the amount of \$130.00 covering the fee set forth in 37 CFR 1.16(f) for a large entity is enclosed. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 13-2855, under Order No. 30931/L50077. A duplicate copy of this paper is enclosed.

Please note that the Declaration is dated October 9, 2004 and thus the Power of Attorney and correspondence address noted in the Declaration has been superseded by the Declaration dated October 9, 2004.

07/13/2005 MKAYPAGH 00000084 10507391

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Application No.: 10/507,391

Docket No.: 30931/L50077

Power of Attorney and Change of Correspondence Address mailed on June 23, 2005. Thus, the Power of Attorney is now associated with customer number 04743 and the correspondence address is as follows:

Roger A. Heppermann (Reg. No. 37,641)  
MARSHALL, GERSTEIN & BORUN LLP  
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(312) 474-6300

Dated: July 5, 2005

Respectfully submitted,

By R. A. Heppermann  
Roger A. Heppermann  
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Attorney for Applicant

~~Reg. Ref: 08/01/2005 YH00000 0017550900~~  
~~DAB: 132855 Name/Number: 10507391~~  
~~FC: 9204 \$65.00 CR~~

PCT\$

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MAY 10 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.

10/507,391

FIRST NAMED APPLICANT

Michael Fink

ATTY. DOCKET NO.

P04,0346

INTERNATIONAL APPLICATION NO.

PCT/EP03/02604

I.A. FILING DATE

03/13/2003

PRIORITY DATE

03/15/2002

26574

SCHIFF HARDIN, LLP  
 PATENT DEPARTMENT  
 6600 SEARS TOWER  
 CHICAGO, IL 60606-6473

RECEIVED

MAY 10 2005

SCHIFF HARDIN LLP  
 U.S. PATENT DEPT.

CONFIRMATION NO. 1799

371 FORMALITIES LETTER



\*OC000000015910353\*

Docketed: 7/3/05

Date Mailed: 05/03/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 09/10/2004
- Copy of the International Search Report filed on 09/10/2004
- Copy of IPE Report filed on 09/10/2004
- Copy of Annexes to the IPE filed on 09/10/2004
- Preliminary Amendments filed on 09/10/2004
- Information Disclosure Statements filed on 09/10/2004
- Oath or Declaration filed on 09/10/2004
- Request for Immediate Examination filed on 09/10/2004
- U.S. Basic National Fees filed on 09/10/2004
- Substitute Specification filed on 09/10/2004
- Priority Documents filed on 09/10/2004

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- \$65 Surcharge for providing the oath or declaration later than 30 months from the priority date (37 CFR 1.492(e)) is required.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Late oath or declaration Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

FREDERICK SMITH

Telephone: (703) 308-9140 EXT 210

**PART 1 - ATTORNEY/APPLICANT COPY**

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/507,391	PCT/EP03/02604	P04,0346